

REMARKS/ARGUMENTS

The Office is requiring election in the above-identified application as follows:

Election from Species Group I:

Species A, Claim 3, drawn to where the differential measurement is carried out on two groups of probes, one group being subjected to the interaction of step b), and not the other;

Species B, Claim 5, drawn to where differential measurement is carried out on two groups of probes where one probe is subjected to an interaction and the other group is subjected to another interaction; or

Species C, Claim 6, drawn to where the differential measurement is carried out on the same probe molecules.

Separately, the Office is requiring an Election from Species Group II;

DNA ;

RNA ;

Protein Molecules ; or

Vitamins

for Species D, Claims 16-17, drawn to different types of probe molecules.

Applicants have provisionally elected, for search and examination purposes only, with traverse: From Species Group I: Species A, Claim 3, drawn to where differential measurement is carried out on two groups of probes, one group being subjected to the interaction of step b), and not the other; and From Species Group II: DNA and Species D, Claims 16-17, drawn to different types of probe molecules. At least Claims 1-4 and 7-19 read on the elected Species A. At least Claims 1-19, that include Species D, Claims 16-17, read on the elected species DNA.

Applicants traverse the election requirements on that grounds that the Office has not shown that a serious burden exists in searching all of the species the entire application.

With respect to the elected species, Applicants respectfully submit that, should the elected species be found allowable, the Office should expand its search to the non-elected species.

Applicants respectfully submit that the above-identified application is now in condition for examination on the merits, and early notice thereof is earnestly solicited.

Respectfully Submitted,

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